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8 IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9 SAN JOSE DIVISION  
10

11 UNITED STATES OF AMERICA,	)	No. CR 11-00684-EJD
	)	
12 Plaintiff,	)	STIPULATION AND [ <del>PROPOSED</del> ]
	)	ORDER CONTINUING SENTENCING
13 vs.	)	HEARING DATE TO DECEMBER 17, 2012
	)	
14 HERMINIO-SANTIAGO-GARCIA,	)	
	)	
15 Defendant.	)	
	)	

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17 **STIPULATION**

18 Defendant Herminio Santiago Garcia, by and through Assistant Federal Public Defender  
19 Varell L. Fuller, and the United States, by and through Special Assistant United States Attorney  
20 Ann Marie Ursini, hereby stipulate and agree, subject to the Court's approval, that the sentencing  
21 hearing currently set in this matter for Monday, December 3, 2012, at 1:30 p.m., be continued to  
22 Monday, December 17, 2012, at 1:30 p.m.

23 Mr. Santiago-Garcia has entered an open plea to one count of violating 18 U.S.C. § 1326,  
24 illegal reentry. A sentencing hearing is presently set in this matter for December 3, 2012, and  
25 counsel for Mr. Santiago-Garcia respectfully request additional time to effectively prepare for  
26 the sentencing hearing. Accordingly, the defense respectfully request that the sentencing

1 hearing date be continued to December 17, 2012. United States Probation Officer Karen Mar,  
2 who has been assigned to conduct the presentence investigation, has been consulted about the  
3 requested continuance and has no objection. The parties further agree that the deadlines by  
4 which the United States Probation Office must disclose the draft and final pre-sentence reports  
5 shall be adjusted according to the new December 17, 2012, sentencing date.

6  
7 Dated: November 18, 2012

8 \_\_\_\_\_/s/\_\_\_\_\_  
VARELL L. FULLER  
Assistant Federal Public Defender

9  
10 Dated November 18, 2012

11 \_\_\_\_\_/s/\_\_\_\_\_  
ANN MARIE URSINI  
Special Assistant United States Attorney

12 **~~PROPOSED~~ ORDER**

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14 GOOD CAUSE APPEARING, and by stipulation of the parties, it is hereby ordered that  
15 the sentencing hearing date set for Monday, December 3, 2012, at 1:30 p.m. is continued to  
16 Monday, December 17, 2012, at 1:30 p.m., and the dates by which United States Probation must  
17 disclose the draft and final pre-sentence reports shall be adjusted accordingly.

18 Dated: 11/20/2012

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THE HONORABLE EDWARD J. DAVILA  
United States District Court Judge